

**LOUISVILLE METRO COUNCIL
SPECIAL MEETING
JANUARY 10, 2008
5:00 PM
METRO COUNCIL CHAMBERS**

CALL TO ORDER: President Blackwell called the **JANUARY 10, 2008 Special** Louisville Metro Council meeting to order at 5:00 PM. He asked all to rise and join in the Pledge Allegiance to the flag.

PRESIDENT BLACKWELL: Madam Clerk, a roll call please.

ROLL CALL:

JUDY GREEN: PRESENT
BARBARA SHANKLIN: PRESENT
MARY WOOLRIDGE: PRESENT
DAVID TANDY: PRESENT
CHERI HAMILTON: PRESENT
GEORGE UNSELD: PRESENT
KEN FLEMING: PRESENT
TOM OWEN: PRESENT
TINA WARD-PUGH: PRESENT
JIM KING: PRESENT
KEVIN KRAMER: PRESENT
PRESIDENT RICK BLACKWELL: PRESENT
VICKI WELCH: PRESENT
BOB HENDERSON: PRESENT
MARIANNE BUTLER: PRESENT
KELLY DOWNARD: PRESENT
GLEN STUCKEL: PRESENT
JULIE RAQUE ADAMS: PRESENT
HAL HEINER: PRESENT
STUART BENSON: PRESENT
DAN JOHNSON: PRESENT
ROBIN ENGEL: PRESENT
JAMES PEDEN: PRESENT
MADONNA FLOOD: PRESENT
DOUG HAWKINS: PRESENT
ELLEN CALL: PRESENT

CLERK: There are 26 members present. A quorum was established.

READING OF THE SPECIAL CALL:

PRESIDENT BLACKWELL: Thank you. The first order of business is the reading of the call for a special meeting. Madam Clerk, please read the call.

CLERK:

**CALL FOR A SPECIAL MEETING
OF THE LOUISVILLE METRO COUNCIL**

Pursuant to rule 3.08 of the rules of the Louisville Metro Council, we the undersigned call for a special meeting of the Louisville Metro Council of the Louisville-Jefferson County Metro Government to be held on Thursday, January 10th, 2008, at 5:00 P.M. in the Council Chambers, Third Floor, City Hall, 601 West Jefferson Street, Louisville, Kentucky.

The purpose of the special meeting is to elect the President of the Metro Council and the Clerk of the Metro Council. A regular business meeting will follow the election.

Signed by Council Members Hal Heiner, Tina Ward-Pugh, Tom Owen, Stuart Benson, Robin Engel, Ken Fleming, Glen Stuckel, Vicki Welch, James Peden, Doug Hawkins, Cheri Hamilton, Kevin Kramer, Barbara Shanklin, Mary Woolridge, Judy Green, Bob Henderson, Marianne Butler, Kelly Downard, Julie Adams, and Jim King. That meets the criteria for a special meeting.

ELECTION OF METRO COUNCIL PRESIDENT:

PRESIDENT BLACKWELL: Thank you. The next order of business is the election of Metro Council President for 2008. First I will go over briefly the rules by which we will operate and then ask for nominations. Nominations can be made from the floor. No seconds are needed. You do not have to be nominated to be voted for. So you can cast your vote -- so when you cast your vote, the clerk will call the roll and you will be asked to cast your vote by name. Nominee needs 14 votes to be elected. Are there any questions as to how the election will be held? Seeing none, nominations are now in order for the office of president.

COUNCILMAN UNSELD: Mr. President.

COUNCILMAN BLACKWELL: Yes, sir, Councilman Unsel.

COUNCILMAN UNSELD: Thank you, sir. Many times the status of a person in life is determined by the decisions they make and the effort that they exert to include many people as possible. The Councilperson from District 10 is that person personified. Therefore, I am proud to nominate Jim King to serve as President of this Metro Council.

CLERK: So noted remember, sir.

PRESIDENT BLACKWELL: Council Member Heiner.

COUNCILMAN HEINER: Thank you, President Blackwell. I am pleased to nominate the following gentleman for President. During his previous presidential term, he set the standard for bipartisan discussion among Council Members. He set the standard for selecting committee leadership based on skills and abilities alone. He set the standard for facilitating productive discussion without even a hint of favoritism. And he set the standard for employee appreciation here at City Hall. And for all these reasons plus his continuing deep passion for good government, which I know everyone in this chamber, would agree, I nominate Kevin Kramer for a second term as President of Metro Council.

CLERK: So noted, sir.

PRESIDENT BLACKWELL: Is there any further nominations? Hearing none, the nominations are closed. Madam Clerk, please call the roll.

COUNCILWOMAN GREEN: Councilman King.

COUNCILWOMAN SHANKLIN: Councilman Jim King.

COUNCILWOMAN WOOLRIDGE: Councilman Jim King, who will be our next new president.

COUNCILMAN TANDY: Jim King.

COUNCILWOMAN HAMILTON: Councilman King.

COUNCILMAN UNSELD: Councilman King.

COUNCILMAN FLEMING: Councilman Kramer.

COUNCILMAN OWEN: Councilman Jim King.

COUNCILWOMAN WARD-PUGH: Councilman Jim King.

COUNCILMAN KING: Councilman Jim King.

COUNCILMAN KRAMER: Councilman Kramer.

COUNCILMAN BLACKWELL: Councilman Jim King.

COUNCILWOMAN WELCH: Councilman Jim King.
COUNCILMAN HENDERSON: Councilman Jim King.
COUNCILWOMAN BUTLER: Councilman King.
COUNCILMAN DOWNARD: Councilman Jim King.
COUNCILMAN STUCKEL: Councilman Kramer.
COUNCILWOMAN RAQUE ADAMS: Kevin Kramer.
COUNCILMAN HEINER: Councilman Kramer.
COUNCILMAN BENSON: Councilman Kevin Kramer.
COUNCILMAN JOHNSON: Councilman Jim King.
COUNCILWOMAN ENGEL: Councilman King.
COUNCILMAN PEDEN: Councilman Kramer.
COUNCILWOMAN FLOOD: Councilman Jim King.
COUNCILMAN HAWKINS: King.
COUNCILWOMAN CALL: Councilman Kevin Kramer.

CLERK: Councilman King has 18 votes, Councilman Kramer has 8. Councilman King has the required 14. (APPLAUSE)

PRESIDENT KING: I will try not to make it a speech, but I may have a couple of remarks that I would appreciate the opportunity to make. First of all, colleagues, thank you for your vote of confidence. I am truly humbled to be given this opportunity to lead you as your President, and I will honor your vote by doing my very best.

Many accomplished leaders have come before me at this desk, and I hope that I can maintain the standard that they have established. Presidents Ron Weston, Kelly Downard, Barbara Shanklin, Kevin Kramer, and Rick Blackwell have all led this Council with a principled approach to good government. For their service, I thank them.

In particular, I want to commend my friend, Rick Blackwell, for his leadership in 2007.

[Applause]

I would be remiss tonight if I did not thank my wife, Debbie, who is in the audience with one of my grandchildren, John Patrick, and my brother, John. Besides being a wonderful wife and partner, she has been a trusted source of guidance in my first three years on the Council. In fact, as you all know, I can sometimes be pretty obtuse, and I can always count on Debbie -- isn't that right, Tina?

COUNCILWOMAN WARD-PUGH: That's right.

COUNCILMAN KING: I can always count on Debbie to tell me when I'm not thinking clearly. That seems to happen a lot, doesn't it, Debbie?

As president, I hope to help each of you achieve your individual goals for your district and your collective goals for our city. I want to facilitate communication and use the office of President to enhance the role of the legislative branch in its interaction with the executive branch.

We will, of course, work with Mayor Abramson to move his agenda forward, but I think it's just as important that we communicate our agenda to the Mayor.

The 26 of us have been called to serve our city, and that calling deserves our best efforts, our best efforts at solving our budget challenges at the time of a hiring freeze, our best efforts at ensuring public safety at a time when the challenges are greater than ever, our best efforts at achieving government efficiency. I'm looking at you, Mr. Fleming.

COUNCILMAN FLEMING: Thank you, Mr. King.

PRESIDENT KING: our best efforts at improving our parks, our zoo, and of course, our libraries. Right, Mr. Heiner?

COUNCILMAN HEINER: Thank you.

COUNCILMAN KING: And finally, our best efforts at making partisanship secondary to our primary duty of public service. Our election to this Council does not put us in charge. Rather, it makes us subservient to the needs of our citizens. Likewise, my election to President does not put me in charge. It makes me subservient to your needs as you endeavor to serve our city.

Whatever the differences that separate us, so much more can unite us. As a whole, we serve a cause greater than our individual parties or even our individual districts. The challenges we face as a city are opportunities for us to change our approach to reaching bipartisan solutions. Democracy is difficult and messy. But we've proven that we can work together on difficult and messy issues. I trust each of you remembers the Animal Control Ordinance. I know I do.

COUNCILMAN DOWNARD: Which one was that, sir?

PRESIDENT KING: Councilman Downard, thank you for that, and Councilwoman Cheri Bryant Hamilton. Arena financing issues that was a struggle. And the course, the sunset laws we just addressed.

In my presidency, communication, honesty, openness, and communication will be the order of the day, and I believe it will allow us to raise the discourse to a higher level, to make our community a better place in which to live, work, and play.

This part is a little bit of a personal note here really because I have served as Democratic caucus chair these last two years, allowing me to lead a very dynamic group of 15 of our members, dynamic being the operative word. I thank those members for that opportunity and for their continuing support tonight. But as of now, my role is to lead all 26 members if you will allow me to do so. The role of caucus chair, by its political nature, can be seen as an adversarial role on occasion. I want each of you to know that as of tonight, I want to be your ally, not your adversary. I know I can't lead unless I'm seen as fair and bipartisan. I pledge my help to each of you in fulfilling your duty as a council member. I look forward with confidence and hope to the year ahead. Thank you very much. [Applause]

Now I would like to offer Councilman Blackwell a point of personal privilege.

COUNCILMAN BLACKWELL: Thank you, Mr. President. First, wow, thank you for the -- thank you for the kind words earlier. And I just want to just say just for a second here, when I was in my other life as a coach, I heard often that it is sometimes better to be lucky than to be good. Of course, as a coach, you like to have both. But I have to say that when it comes to having good staff members, I'd like to think that I'm good at finding and encouraging good personnel, but I also have to admit that this year I was extremely lucky when Leah Wilding decided to come out of retirement and work with us again this year. I had many people who told me that Leah -- who worked with Leah earlier in city government had commented about how wonderful that she was and how professional that she was and heard a lot, and I was really -- couldn't wait to meet this woman who was coming in for an interview because I had heard so many great things about her. And after a year of working with her, I have to say that as great as the compliments were as she was coming in the door, she was every bit as good as promoted, and I owe a huge debt of gratitude, and I think the City owes a debt of -- a debt of gratitude for the wonderful job that she did in taking on the very difficult task of making this south-end boy look presidential.

So with that being said, -- where is she? Oh. That being said, I would like for Leah to come forward, and I just have a proclamation, which I won't bore you with reading. It merely says that Leah Wilding is about as good as they get. [Applause]
Thank you, Mr. President.

PRESIDENT KING: Thank you. In my remarks, I failed to mention my daughter Katie, who is here tonight too also. I apologize, Katie, for missing you out there.

ELECTION OF THE METRO COUNCIL CLERK:

PRESIDENT KING: The next order of business is the election of the Clerk. Nominations can be made from the floor. No seconds are needed. A nominee needs 14 votes to be elected. Are there any nominations? Councilwoman Flood.

COUNCILWOMAN FLOOD: Yes. It would be my great pleasure to nominate Kathy Herron, please.

PRESIDENT KING: So noted. Are there any nominations?

COUNCILMAN JOHNSON: Move the nominations be closed.

PRESIDENT KING: Without objection, the nominations are closed. All those in favor of Kathy Herron, please say aye. Those opposed, like sign. **The ayes have it.**

[Applause]

The Metro Council Clerk for 2008 is Kathy Herron.

CLERK HERRON: Thank you. It's an honor and a privilege to serve you and the City and the community, I am very honored, thank you.

PRESIDENT KING: Thank you. We'll be sure when your years of service are over we'll give you a plaque too.

At this time, I would like to entertain a motion to recess for 15 minutes.

COUNCILWOMAN WOOLRIDGE: So moved.

COUNCILWOMAN WARD-PUGH: Second.

PRESIDENT KING: Without objection, we will have a 15-minute recess and return at 5:35.

(RECESS)

PRESIDENT KING: May we have quiet in the chamber please? May I have a motion to reconvene the meeting?

COUNCILWOMAN WOOLRIDGE: So moved.

COUNCILWOMAN WARD-PUGH: Second.

PRESIDENT KING: Thank you. The motion has been properly moved and seconded. Without objection, the Council has reconvened. Madam Clerk, are there any addresses to the Council?

ADDRESSES TO COUNCIL:

***Cres Bride: Smoking ordinance - Against
Mary Ann Sanders: Smoking ordinance - For
Rev. Charles Kirby = Smoking ordinance – For
Donna Mancini – Smoking ordinance – Against
Mike Clontz – Smoking ordinance – Against***

CLERK: That concludes the addresses to Council.

APPROVAL OF COUNCIL MINUTES

PRESIDENT KING: Thank you, Madam Clerk. Next we have approval of Council minutes for the Regular Council Minutes - December 20, 2007 and the SPECIAL Council Minutes - December 27, 2007. Are there any corrections or deletions? May I have a motion for approval?

COUNCILWOMAN WARD-PUGH: So moved.

COUNCILWOMAN BUTLER: Second.

PRESIDENT KING: I have a motion and a second. The minutes have been properly moved and seconded. All those in favor, say aye.

ALL: Aye

All those Opposed, like sign. The ayes have it. **Those minutes are approved as written.**

APPROVAL OF COMMITTEE MINUTES:

Next we have approval of the following committee minutes:

Regular: Committee on Committees: January 8, 2008, and on January 7, 2008.

Special Health and Human Services Committee

Are there any corrections or deletions?

COUNCILWOMAN WOOLRIDGE: So moved.

COUNCILWOMAN WELCH: Second.

PRESIDENT KING: I have a motion and a second. All those in favor, say aye.

All: Aye

All those opposed. The ayes have it. **These minutes are approved as written.**

COMMUNICATIONS FROM THE MAYOR:

Madam Clerk, are there any communications from the mayor?

January 7, 2008

President
Metro Council
601 West Jefferson Street
Louisville, KY 40202

Dear Mr. President:

In accordance with the Citizens Commission on Police Accountability Ordinance, I am appointing Deborah Keeling Wilson to the **Citizens Commission on Police Accountability**. This appointment will expire on March 27, 2011.

Your prompt action on this appointment is most appreciated.

Sincerely,

/S/ Jerry E. Abramson

Jerry E. Abramson
Mayor

JEA/set

cc: Councilman Ken Fleming enclosures
e-copy to MCC
Councilman Dan Johnson enclosures

January 7, 2008

President
Metro Council
601 West Jefferson Street
Louisville, KY 40202

Dear Mr. President:

In accordance with the Louisville/Jefferson County Police Merit Board Ordinance, I am appointing Allison Grant to the **Louisville/Jefferson County Police Merit Board**. This appointment will expire on June 1, 2010.

Your prompt action on this appointment is most appreciated.

Sincerely,

/S/ Jerry E. Abramson

Jerry E. Abramson
Mayor

JEA/set

cc: Councilman Ken Fleming enclosures

e-copy to MCC
Councilman Dan Johnson enclosures

January 7, 2008

President
Metro Council
601 West Jefferson Street
Louisville, KY 40202

Dear Mr. President:

In accordance with the Volunteer Fire Districts Ordinance, I am appointing Mr. David A. Stauble to the **Camp Taylor Fire District Board**. He will fill the position of Firefighter. This appointment will expire on June 30, 2010.

Your prompt action on this appointment is most appreciated.

Sincerely,

/S/ Jerry E. Abramson

Jerry E. Abramson
Mayor

JEA/set

cc: Councilman Ken Fleming enclosures
e-copy to MCC
Councilman Dan Johnson enclosures

January 7, 2008

President
Metro Council
601 West Jefferson Street
Louisville, KY 40202

Dear Mr. President:

In accordance with the Louisville Water Company Ordinance, I am appointing Tandy Patrick to the **Louisville Water Company Board**. This appointment will expire on April 30, 2009.

Your prompt action on this appointment is most appreciated.

Sincerely,

/S/ Jerry E. Abramson

Jerry E. Abramson
Mayor

JEA/set

cc: Councilman Ken Fleming enclosures
e-copy to MCC
Councilman Dan Johnson enclosure

January 7, 2008

President
Metro Council
601 West Jefferson Street
Louisville, KY 40202

Dear Mr. President:

In accordance with the Waste Management District Ordinance, I am appointing the following to the **Waste Management District Board**.

Name	Term
Joyce St. Clair	Reappointment January 15, 2010
Rev. Eddie Sanders	Reappointment January 15, 2010
Emery Stanchin	Reappointment January 15, 2010

Council approval of these appointments is not required.

Sincerely,

/S/ Jerry E. Abramson

Jerry E. Abramson
Mayor

JEA/set

cc: Councilman Ken Fleming
e-copy to MCC

January 7, 2008

President
Metro Council
601 West Jefferson Street
Louisville, KY 40202

Dear Mr. President:

In accordance with the Public Radio Partnership Ordinance, I am appointing the following to the **Public Radio Partnership Board**.

Name	Term
Christopher Boone	New Appointment June 30, 2010
John Robert Curtin	New Appointment June 30, 2010
Matthew Barzun	Reappointment June 30, 2010
Dr. Brian Shumate	Reappointment June 30, 2010

Council approval of these appointments is not required.

Sincerely,

/S/ Jerry E. Abramson

Jerry E. Abramson
Mayor

JEA/set

cc: Councilman Ken Fleming
e-copy to MCC

PRESIDENT KING: These items will be referred to Contracts and Appointments for consideration.

OLD BUSINESS:

PRESIDENT KING: The next order of business is old business. Before we begin discussion on this matter, let me ask you to be prudent in your use of floor time tonight and try to present new information whenever you're recognized. Madam Clerk, a reading of item 10.

10. O-316-12-07 AN ORDINANCE AMENDING AND RE-ENACTING CHAPTER 90 OF THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT CODE OF ORDINANCES [LMCO] RELATING TO THE PROHIBITION OF SMOKING IN DESIGNATED AREAS.

Status: On Council Agenda - Old Business
Committee: Health & Human Services
Primary Sponsor: Rick Blackwell

PRESIDENT KING: May I have a motion for approval?

COUNCILWOMAN WOOLRIDGE: Motion to approve.

COUNCILWOMAN WARD-PUGH: Second.

PRESIDENT KING: I have a motion and second, so the item has been properly moved and seconded. Is there any discussion? Councilwoman Woolridge.

COUNCILWOMAN WOOLRIDGE: Thank you. Thank you, Mr. President. This ordinance came out of the Health and Human Service Committee unanimously; however, we have some amendments, and at this time, Mr. President, I'd like to make those amendments. I'd like to move them.

PRESIDENT KING: That's in order. Do you want to describe the amendments?

COUNCILWOMAN WOOLRIDGE: Okay. Basically, the amendments were -- we -- the penalty section, we put the same amount back in to the penalty section. We had originally thought we needed to increase those. We also took the burden of proof off of an owner in order to make the owner to call the police if someone would not quit smoking in their establishment.

We also did severability. We wanted to keep that in there. So basically, it's violations and penalties and I can go through those for the Council if you like. And we can do them all, Mr. President, as one amendment.

PRESIDENT KING: So are you moving the amendments that were made at committee?

COUNCILWOMAN WOOLRIDGE: Yes, yes, I'd like to move --

COUNCILMAN KRAMER: Second.

PRESIDENT KING: Excuse me. The amendment has been properly moved and seconded. Is there any further discussion?

COUNCILWOMAN WOOLRIDGE: Mr. President, the amendments that we're moving are 90.02, the definition of building, and if you-all want to follow along, either I can read them -- it would take me quite a while, so I would just like for everyone to look up under these particular definitions. The second one is 90.05, and that's the duty of the owner of buildings and establishments. What we did there, we just struck out the fact that they would have to call the police. And in section 90.06 was enforcement. We have 90.07 was the violations and penalties. So I would like to move --

PRESIDENT KING: Councilwoman Woolridge, we have the motion on the floor. So that explanation, I believe, is adequate.

COUNCILWOMAN WOOLRIDGE: Okay. Fine. Thank you.

PRESIDENT KING: Unless there are other questions here. Most of those -- I think all those were approved unanimously.

COUNCILWOMAN WOOLRIDGE: They were all approved unanimously in committee, and I would like to move them.

PRESIDENT KING: We do have a motion and a second already on the floor. Is there any further discussion on these amendments? Hearing none, this is an amendment, calling for a voice vote. All those in favor, say aye.

ALL: Aye

Opposed? The ayes have it. **The committee amendment passes.** Is there any further discussion?

COUNCILWOMAN WOOLRIDGE: Yes.

PRESIDENT KING: Councilwoman Woolridge.

COUNCILWOMAN WOOLRIDGE: Thank you, Mr. President. In "C" section, I'd like to make a floor amendment, and it says *all violations discovered upon a single inspection by the Louisville Metro Health Department are in the instance present of a peace officer shall constitute a single offense for purposes of issuing of a citation under the subchapter to an owner, operator, or an employee of a building or an establishment or a smoker therein as this case may be.* I'd like to move that amendment.

PRESIDENT KING: All right. Do I have a second?

COUNCILMAN TANDY: Second.

PRESIDENT KING: I have a motion and a second. Is there any further discussion on this matter? Hearing none, this amendment calls for a voice vote. All those in favor, say aye. [Chorus of ayes]

PRESIDENT KING; I apologize. Did I miss someone over here? Councilwoman Hamilton, I apologize. I'll rule that that vote has not occurred yet, and I'll ask Councilwoman Hamilton since I failed to recognize her.

COUNCILWOMAN HAMILTON: Thank you, Mr. President. The language that appeared before that, that first part of the sentence, is that struck or does that read as it is?

COUNCILWOMAN WOOLRIDGE: Mr. President, may I?

PRESIDENT KING: Councilwoman Woolridge.

COUNCILWOMAN WOOLRIDGE: The first part of this we struck. It said each calendar day during which a violation, and we struck out the calendar day during which a violation because we decided -- I mean, a calendar day, people could come in there and cite them all day long. The fines could get up to \$10,000 if we just left that calendar day in there.

COUNCILWOMAN HAMILTON: Thank you. Thank you.

PRESIDENT KING: Mr. O'Brien.

WILLIAM O'BRIEN: Yes, Mr. President. If I could, there appears to be in section 90.04, the committee, subparagraph "C," there was an addition as well. I just wanted to make sure everybody was aware when they were voting. This is contained in number 3 on your electronic Version. And if you just look at that to make sure. I want to make sure that that amendment is part of the total or at least recognized by you-all.

PRESIDENT KING: Thank you. Mr. Blackwell. Councilman Blackwell.

COUNCILMAN BLACKWELL: Wow, go from president to just mister.

PRESIDENT KING: I'm sorry.
How quickly things change.

COUNCILMAN BLACKWELL: I just had a question about -- this language does, however, still say -- still in theory you could get fined more than once on a particular day if you come -- if the inspector comes in at noon and they're smoking and then at 4:00 they come back in they're still smoking, they can get -- it just keeps you from having ten offenses the first time they walk in the door; correct?

MR OBRIEN: If I may respond, Mr. President.

PRESIDENT KING: Mr. O'Brien.

MR. O'BRIEN: Yes, Councilman, you are correct. The concern was raised if an inspector comes in and say that there's six people smoking in each ashtray, there could be 27 violations against the owner. This particular instance, at 1:00, comes in, the ashtrays are there, he cites the owner one time. Or the manager one time. And leaves and comes back at 3:00, and the ashtrays are still there. Well, guess what. He is going to get cited for the ashtrays again at 3:00.

COUNCILMAN BLACKWELL: In that situation, it's a second offense, comes back at 9:00, a third offense, et cetera.

MR. O'BRIEN: Correct.

COUNCILMAN BLACKWELL: Thank you, Mr. President.

PRESIDENT KING: Thank you, Councilman Blackwell. Is there any further discussion? Councilman Benson.

COUNCILMAN BENSON: Thank you, Mr. President. The same thing, but there's a program I watch quite often on TV called Myth Busters. People will say things and sometimes until somebody can prove them, everybody believes it. We have hospitals in our community that filters air that there could be a disease in a room that will be -- that make that room secure for -- so it won't penetrate the rest of the hospital, and so when people say there's no ventilation that can take this out. Being a toolmaker and knowing you can design and do all kinds of stuff, we put men in space; I have a lot of problem saying that we couldn't ever do this.

Now, since we're -- I just want to clear that up. One of the problems I also have a little bit, you know, there's all kinds of things in the air that causes us problems. You can go by a bus, diesel fuel, you can go to the fairgrounds and watch indoor racing on race cars, and you think, is that harmful? You can't hardly breathe. I think that would be harmful.

Now, one of the things a lot of people in our community don't realize is the Health Department has got jurisdiction over us. They haven't -- at least the way I understand the County Attorney, that if we make an ordinance and they don't like it, they can trump us. And they can come back and say we don't really like this. My question almost is, I think, why haven't they taken this up? Why haven't they done it?

And I don't know. I don't know why. But so if we make an ordinance that said ventilation or something like that, tomorrow they could say we're not going to pass that. We're going to change it. And by the State, they have jurisdiction over us. So we're almost wasting our time doing something that they won't go along with in the first place. So I feel kind of -- I listened to all the people talking about freedoms, and you're right, we have freedoms. But we gave a lot of our freedoms away through the federal government and through the state government that says what we can do is not -- they can over trump our legalness.

So -- I see Dr. Troutman is coming to the podium, which is great. But unless you're an engineer and designer about ventilation, I believe that there's all kinds of proof that there is ventilation that you can do. Thank you, Mr. President.

PRESIDENT KING: Thank you. Dr. Troutman, are you seeking recognition?

DR> TROUTMAN: Just in case you need me.

PRESIDENT KING: Okay. Thank you. Is there any further discussion? Councilwoman Welch.

COUNCILWOMAN WELCH: Thank you, Mr. President. Councilman Benson, I can address that question to you because I was an OR nurse for 15 years, working in that type of a room with the negative pressure and the super ventilation and so forth, and there are also isolation rooms for tuberculosis or whatever kinds of diseases that there are. Those rooms are made to be sealed, not for people to come in and out like they do in a bar. They are not rooms made for a bar. That type of ventilation is what they call hermetically sealed or whatever. Once you are in that room, you are in that room and you don't come in and out. You use it very little. When we worked in those, it was especially used on big orthopedic cases which have a high instance of infection and are long cases and so forth. So once you went in that room, you stayed in that room for the four-hour duration of that case. Only on emergency did you go out of that room. So don't get the hospital rooms confused with what can go on in the bars.

PRESIDENT KING: Councilman Benson.

COUNCILMAN BENSON: I'd like to respond. I'm not getting confused. I know that the person leaving the room is the one contaminated, and they are the one going to bring the disease out. And so -- but the disease inside that room, it can't leave that room, other than the person bringing it out. That negative pressure causes -- I mean, I'm not really saying -- this is not about the smoking ban or whatever. I'm talking about when we say things that sometimes aren't really true and get people feeling that what we're talking about is really true. I believe it's not.

COUNCILWOMAN WELCH: If I may respond.

PRESIDENT KING: Councilwoman Welch.

COUNCILWOMAN WELCH: What I am trying to say is the negative pressure will only stay negative pressure if that door stays closed. Okay? The negative pressure has to be used to keep the room at a certain level of air movement per minute or whatever. I mean, I'm not an engineer, so I didn't get into that part of it. I just followed the rules that when I went into that room, I better have gone to the bathroom, drank a water, did whatever I wanted to do because I knew I couldn't come out until that case was over.

So you know, you could not use that sort of a room that you're talking about in hospitals. It's an apple to orange thing. That scenario will not work in a bar where patrons are coming in and out, in and out, in and out, all day long, all night long. The negative pressure won't stay.

PRESIDENT KING: Councilman Hawkins.

COUNCILMAN HAWKINS: Thank you, Mr. President. First off, congratulations on your election.

PRESIDENT KING: Thank you.

COUNCILMAN HAWKINS: Colleagues, what I would like you to think about is I'm being told that if this ordinance passes as it is, we are looking at having one of, if not the most strict smoking bans in the nation on the books here, and I'm concerned that with this last library tax that we are -- we are getting a

reputation of being overregulated and overtaxed in this community. And it's not a small concern to my constituents. And I hope you-all consider that. That's all I have, Mr. President. Thank you.

PRESIDENT KING: Thank you. Councilman Heiner.

COUNCILMAN HEINER: Thank you, President King. This is a difficult subject. I need to tell you, my mail is typically argued passionately on both sides of this issue. One side says you're killing me with smoke, and the other side says you're killing the country by squashing freedoms.

We discussed in committee this week the idea of allowing a portion of a business to be set up for smokers. We then heard from our health administrator who said it's impossible to set up a separate room to protect nonsmokers from his understanding of separate rooms.

Since that meeting I met with a mechanical engineer who designs all types of buildings, including hospitals. He said it's commonplace in hospitals to set up separate rooms with separate ventilation for those patients with contagious diseases and various other items that I guess Councilwoman Welch has spoke to. Typically they have floor-to-ceiling walls and negative pressure. Negative pressure means that when the door opens, air rushes in, it doesn't rush out, it rushes in. In his opinion, we could achieve 100% protection of nonsmokers, it's possible with separate rooms with separate ventilation systems using the same technology that's used in hospitals.

I do support allowing this hospital-type separation of nonsmokers and smokers to protect the freedoms we treasure in this country. Although I understand this concept does not have majority support on this Council. However, I have become convinced by the Surgeon General -- Surgeon Generals under both President Clinton and President Bush that secondhand smoke is a health risk, and for this reason, I will vote for this ban tonight.

I do welcome, if there is a group on this Council at some point in the future that wishes to reopen this issue of separate rooms with separate ventilation, I think there's a lot we could learn and see is it possible to protect 100% nonsmokers from smoke, protect nonsmokers 100% while at the same time allowing some of the people we've heard from tonight to have the freedom to enjoy a legal product in this country.

PRESIDENT KING: Thank you. Councilman Engel.

COUNCILWOMAN ENGEL: Thank you, Mr. President. Congratulations.

PRESIDENT KING: Thank you.

COUNCILMAN ENGEL: Welcome to the seat. Friends, this ordinance will continue to hurt charities where many organizations participate in the fun game of bingo. This is where my passion is and will always be. I have worked, volunteered, and witnessed since childhood the hundreds of thousands of dollars charities make annually at bingos. These bingos have helped build sports facilities all over Metro Louisville. They have helped feed the homeless. They have enabled so many of our youth that we may never, ever come in contact with to afford football equipment, baseball, basketball equipment, just the ability to play sports that they may not have -- they may have never been able to do so had it not been for the hundreds and thousands of volunteers working in charity -- charitable -- for charitable bingo halls.

Some of these groups have either closed their doors or seen significant reductions in their funds through charitable gaming. If money for these groups continues to decline, they will be forced to either turn to government for even more help or scale back their important public service.

Now, I know some on the Council may challenge the -- may challenge the numbers that were provided to us that I offered as part of the record in the committee. Be careful not to challenge those numbers because fourth quarter 2006 -- excuse me -- fourth quarter of 2007 numbers have not been returned yet. So I offer caution if you attack or challenge these numbers from the Charitable Gaming Association, as all of the numbers -- as you can well imagine -- I'm in sales, and my 2007 sales reports have not been -- I have not received them on my laptop effective this morning. And so we can only imagine that it's going to take government a little bit of time to calculate all of the dollars that are still coming back from charitable bingos.

I truly hope we, as government, are ready to pick up where these charities are no longer able to assist. Mr. President, thank you very much for your time.

PRESIDENT KING: Thank you, Councilman Engel. In case we forget here or have forgotten here, we are actually -- although we're talking about separate ventilation at this point, what's before us is an amendment dealing with the citation protocol. So that is still on the floor, and I have no problem with that discussion we've had because it would have been either now or later. But I want to remind everybody we're getting ready to vote on this amendment that Councilwoman Woolridge put forward.

Is there any further discussion with respect to that amendment? Hearing none, this is amendment, calling for a voice vote. All those in favor, say aye.

ALL: Aye

Opposed. The ayes have it. The floor amendment passes. We now have the amended ordinance before us. Councilwoman Hamilton.

COUNCILWOMAN HAMILTON: Thank you, Mr. President. Like everyone said, this is a difficult issue, but I believe there should have been some attempt for compromise. That's how we initially started this whole discussion on a smoking ban on the Council. But I think there's such a rush to reenact, you know, out of fear that something was going to happen if we didn't hurry up and get this ban back into effect that we didn't get to hear the kind of testimony that I would have liked to have heard because there is some technology that I believe Councilman Heiner was mentioning. I would have liked to have heard more. If there is ability to -- with separate ventilation and the negative pressure and all of that, but all of that just came up this week I just heard that. You know, and I was trying to say that I know that secondhand smoke is a problem and health is an issue, but I think it gets to the point that people are not just trying to protect nonsmokers, they're trying to protect anti-smokers. You know? And that's a difference to me. You know? It takes it to another extreme because everybody can be against smoking because of health issues. And I think about the businesses, you know, that should have -- private clubs, I would think, would have a right to determine how to run their business and who to allow in. You know, I just think this ban is a little extreme, and I'm just sorry we could not find a compromise.

PRESIDENT KING: Councilwoman Green.

COUNCILWOMAN GREEN: Thank you, Mr. President, and congratulations.

PRESIDENT KING: Thank you.

COUNCILWOMAN GREEN: Look forward to working with you. While I'm not on the Health and Human Services Committee, on January the 7th, I had an opportunity to participate in a lively discussion and a lively debate concerning this issue of a smoking ban. I was not on the Council some year and a half ago when that -- the other smoking bans were enacted.

I believe in the principle of compromise. We live in a society -- a democratic society where compromise is the order of the day. And I think that we all should try to look at an issue and see what we can do to help best satisfy all parties involved. However, after careful study and thinking about this issue, I thought about the fact that the smoking ban has been overturned twice, once by Judge Clayton and once by Judge Ryan. And I began to think about the constitutionality of a smoking ban that would allow exemptions. I don't believe there is one. I do believe I heard our County Attorney say that if we did allow exemptions we're opening ourselves up to suit. We tried that before with Churchill Downs, and we found ourselves back at square one.

I believe there are raw materials and what have you that would help to ventilate a room thoroughly, but I also talked with Dr. Troutman, and I asked him, I said, now, I know our goal is to protect nonsmokers like myself and many of us in this room, but what about those folks that actually do smoke, the primary smoker? If they're in the room in a bar with 30 other smokers, are they then getting a double dose of this very harmful carcinogen? And his answer was yes. And that was something that I had not thought about, that those folks that do smoke, you're getting a double dose if you're in the room with other persons that smoke. That made me look at this a little bit differently and made me step back and think -- think about should we -- should we pass a smoking ban with an exemption and open ourselves up to suit again?

One bar owner said a separately ventilated room would not -- would not help him because the bar cannot be separated. So thus, we would be back to square one again.

So I say all of that to say this. I don't think the role of this Council is to regulate folks' behavior, but I do feel the role of this Council is to come up with an ordinance that would hold the mustard and would not subject us to the embarrassment of getting overturned.

So with that being said, I have now changed my mind, and I will vote for a full smoking ban with no exemptions, such as ventilated rooms. Thank you, Mr. President.

PRESIDENT KING: Thank you. Councilman Blackwell.

COUNCILMAN BLACKWELL: Thank you, Mr. President. Anyone who knows me at all, and particularly those who know me well, knows that I've had a struggle with this -- with the concept of a ban from day one. I have -- from the beginning I was a supporter of separately ventilated areas, and I had -- I had worked to have that actually in the last -- in the last ban that we put in place, feeling that there was a way for you to have smoking and nonsmoking and hoping that there was a way to do both.

If that can't happen, though, my commitment has always been and will remain that we absolutely should have smoke-free -- truly smoke-free, not just labeled smoke-free, but truly smoke-free -- areas in all public buildings. People really do have a right to that. You can't -- you might be able to smell the smoke if it's thick. You certainly can't see the carcinogens. You can't see the smoke if it's not real thick or if you don't have particularly good smell and it's not so sick -- thick. But people who are sick -- that's where the sick was coming from -- especially those who are cancer survivors -- and we all know people in our lives who are -- need to be able -- when they go into a public building, they need to be able to know that it is carcinogen free -- smoke free and carcinogen free as much as we can. And I don't think that -- I don't know that 100% is ever going to be a goal that is attainable. You know, if you have smokers outside, some of that might still be able to come in through an open door or whatever it might be.

So if you have the choice of no ban or a ban of all, I think we -- I think we owe it to people that they are -- that they can come into a building and know that it is, in fact, smoke free.

Along with that, though, I do share that concern about what effect it has on businesses. We saw in Lexington there was a dip in business, and we had hoped -- I think the Council had hoped in giving more time before the ban was implemented that we might avoid that dip that we saw in Lexington when they did their studies. And I think to some extent, maybe that has been the case. I think some of our people may have avoided it, but unfortunately, some have not, and they have felt that. I think that charitable gaming seems to me to be the one that has -- probably took it on the chin more than anyone else.

In this whole debate, I heard lots of people talk about that and the concern for the bingos and for the charities and for those people who might lose out in that, and I heard in some of those advertisements, the Senator Seum talked about trying to reach out and help those people. And so I think maybe if we -- beyond this discussion tonight too, that we might want to continue that discussion about -- I think it's, in fact, a state law that puts in place what percentages a charity has to -- what percentage of profit a charity has to achieve in order to remain open, and so maybe it's time for the -- for the state to look at -- given the fact that you have a ban in place and that it has affected some people or at least there's some testimony that it has affected some people -- maybe it's time for the state to look at that percentage and see if that really is a realistic percentage anymore. So I would guess I would encourage us to maybe talk with Senator Seum to see if we can take a look at that on the state level as we move forward. Thank you.

PRESIDENT KING: Thank you, Councilman. Councilman Downard.

COUNCILMAN DOWNARD: Thank you, Mr. President. I guess I'm supposed to say congratulations.

PRESIDENT KING: No, you're not supposed to, Kelly. Thank you anyway. You are very gracious.

COUNCILMAN DOWNARD: I guess I just want to congratulate my colleagues. This is another one of those issues. We may be getting our sea legs because it's another issue that is very divisive in the community. Not because it's right or wrong but because people feel so strongly on both sides. 60% of the people, from the conversations here tonight, many of us are still in the process of saying where is the right call. But I think that I would like to make my -- address my remarks to the public that's listening. Because in the process of doing what we do -- and those on the health and services committee heard me say this before -- we have a primary responsibility as legislators to protect the public. Period. That's our primary responsibility. We have to look at ways to do that and to find some sort of ban to prohibit I'll say carcinogenic air -- if that is such a word if there is an adjective that goes before air, from being near anyone, that's our responsibility. But we also have a responsibility to look at the entire community.

If there is a manner in which we can fulfill our primary responsibility and at the same time fulfill an additional responsibility to leave open more rights for our citizens, then we're supposed to do that. If we can't find that way, we go back to the primary responsibility, which is safety and health.

I think that this week or in the last week, judging from the e-mails that I got, assume -- a lot of us were addressed to all of us, so I assume you all got them -- there is a lot of miscommunication as to what we do down here. If you think we sort of walk in and say I am going to be against this and for this and let me justify how I do that and spend 20 minutes, then you don't know what we do. What we do is spend hours of time trying to find answers. You heard my colleagues on both sides of some of the issues here still not sure what the answer is. They're sure and some of us aren't. Until we are sure, we do not make amendments or pass laws. If we do, we made a mistake. And we have violated our responsibility and we ought to be thrown out. But that's not what we do. That's not what we've been doing this week.

Many people in this chamber this week have been criticized for doing their job. Their job is to review all the details and try to protect everybody in the community. Remember that in a democratic society, we have an obligation to do the bidding of the majority while protecting the minority from the majority because that's what happens most of the time. If we didn't have laws that tried, made an attempt to protect everyone, we would fail and we would have chaos. So when we do that, we're going through the process, don't criticize the process until you see the result. If you criticize the result, you have every right to do that. You have every right to encourage us to do things in a manner that you feel -- that you feel are proper. Please don't ever quit doing that. That's part of how we get additional knowledge.

But I would just ask the public, probably just the 10% on both ends. The 80% in the middle try to help and try to understand and try to listen. And the 10% on both ends start castigating, sometimes without any reason. I mean, I got e-mails that said I was doing things that I have no idea where that idea came from. I have 17 different definitions of separated ventilation rooms sent to me in the mail. I don't know what is right. I can tell if you I thought I did we would have been talking about it, but I don't, so we won't.

And I would just ask -- I will thank my colleagues for doing this a whole lot better than we might have done four years ago, and I ask the public, for those of my colleagues who got really hammered for what I think they were trying to best do their jobs, appreciate the fact that they tried to do their job. If they come up with an answer you don't like, then come back after them, you have every right to, but not until they get there. Because most of us never got there. So we didn't make a decision, you were already criticizing us for making.

We had a veto out there on something we had never done, never been presented. So it is something that I ask you, please take your time. Watch what this Council does and see if we can't do what you ask us to do, which is to be bipartisan, not Democrats, not Republicans, but citizens, trying to do what's best for you, the people this community, and we did it really well on this particular issue. And if we didn't finish, then I apologize to anyone who thinks we should have finished differently, but that's what we did, and we came out where we are. And I apologize for taking so much time, but I appreciate it. Thank you.

PRESIDENT KING: Thank you, Councilman. Councilwoman Woolridge.

COUNCILWOMAN WOOLRIDGE: Thank you, Mr. President. You know, I have heard both sides of this issue. I've gotten hundreds of e-mails. I'm not anti-business. I'm not anti-charities. However, the ventilation system will not -- I've talked to doctors. I spoke to Dr. Troutman. And there is no known ventilation system that will prevent secondhand smoke from permeating nonsmoking areas and adversely affecting people in those areas.

I would not like -- I heard maybe one or two of my colleagues say maybe we need to revisit this. I hope we will not revisit the smoking ban. I hope we will do it right this time, passing it the way it's presented to us tonight. I heard one of my colleagues was talking about engineer study and how they could do this air. But the American Society of Heating, Refrigerating, and Air Conditioning Engineers adopted a position document that states, quote, *at the present, the only means of effectively eliminating health risks associated with indoor exposure is to ban smoking activities*. And that's what I would like for us to do here tonight as council members.

In my conclusion, smoke-free environment is the only way we should go at this time. Thank you, Mr. President.

PRESIDENT KING: Thank you, Councilwoman. I have four other Council people waiting to speak, so please try to present new information. I have Councilwoman Vicki Welch next.

COUNCILWOMAN WELCH: Thank you, Mr. President. I would just like my colleagues to know -- of course, I think you all know from the Health Committee that I am definitely for the total ban, and because of my nursing background. But also as a mother -- and I -- I plead with you, as mothers and fathers, to think about when your children are of age to go to these places, what kind of air do you want them to breathe? You know?

And the statistics that I got that said that eight hours in a smoky bar is equal to one pack of cigarettes. Two hours in a smoky bar is equal to four cigarettes. So just kind of think of those statistics there. And the whole idea of our smoking ban is health care, public health for our community. It's for our city to be forward-thinking with health for all the workers, the children, and the families in our whole community. Thank you.

PRESIDENT KING: Thank you, Councilwoman. Councilwoman Green.

COUNCILWOMAN GREEN: Thank you, Mr. President. You know, I really -- there was a big dilemma for me in terms of the revenue that was lost by the gaming industry, particularly the bingo halls. But I would like to encourage the citizens and constituents out here in the community to please, please don't stop frequenting the bingo halls because you can't smoke. We're talking a period of time that you spend in a bingo hall, two to three hours. So if you would, please, so the businesses and the bingo halls won't be hurt, thus other entities in this community won't be hurt by the revenue and the funds that would be given to them, if you would please continue to go to your hobbies, whatever, so those organizations can still be able to help the community. We're talking just a matter of two or three hours.

And also, someone talked about government infringing upon our rights. Thank God for government infringing upon some of the rights that people would like to do. Thank God that government oversees pasteurization of milk and cheese. Thank God government says you cannot sell cigarettes to someone under 21. Thank God the government says liquor cannot be sold to anyone 18 and under. So thank God the government has said other -- set other standards for us to live by. Sometimes it infringes upon someone else's right, but thank God that we have a government that has set standards in every parts of our lives that we all have to live by so we, then, don't infringe upon someone else's rights. Thank you, Mr. President.

PRESIDENT KING: Thank you. Councilwoman Call.

COUNCILWOMAN CALL: Thank you. I'd like to call the question, please.

COUNCILMAN KRAMER: Objection.

PRESIDENT KING: The question has been called, and I have a question, I believe.

Objection.

PRESIDENT KING: Would it be all right with the mover if we allowed a couple more speakers? And otherwise we can take a vote on that issue, but if the mover would allow us to not -- not take a vote on it at this time.

COUNCILWOMAN CALL: Really short, Bob. It will be really short.

PRESIDENT KING: I have two more speakers left, if the mover will allow us to do that. Thank you. Councilman Henderson.

COUNCILMAN HENDERSON: I just thought maybe it would be interesting here. Home health care rose 9.9% 2006. This article is in the paper Tuesday, January 8, 2008. And might you be aware that we spent \$2.1 trillion for health care in 2006. That's over \$7,000 a person. So whatever percentage of breathing this -- the deadly stuff, I don't know how much it is, but I guarantee you, folks, it's a very big percentage of it. So a huge cloud behind you is some of the issues we're dealing with. Thank God government does look into these things and we've got doctors like this that's bringing this stuff forward but gives you an alternate way to go. I mean, you could talk to this -- the doctors we have now, give you all kinds of

alternatives to help you with your health issues, especially smoking. I just want to make that point so the people would see this. \$2.1 trillion.

PRESIDENT KING: Thank you. Councilman Johnson.

COUNCILMAN JOHNSON: I just want to call the question.

PRESIDENT KING: That's the second time. Without objection, the question will be called. This is an ordinance calling for a roll call vote. Madam Clerk, please open the voting.
What are we voting on?

PRESIDENT KING: I thought we took a voice vote on the floor amendment a little while ago.
I'm pretty sure we did.

It was a voice vote.

PRESIDENT KING: Without objection, the voice vote that we took earlier will adopt the floor amendment, for the record, and that we are and have been discussing the amended ordinance, as I announced earlier. So the question has been called. There's no objection to that. This is an ordinance, calling for a roll call vote. Madam Clerk, please open the voting. The voting is closing. The voting is closed.

VOTING RESULTS – ITEM 10

JUDY GREEN: YES

BARBARA SHANKLIN: YES

MARY WOOLRIDGE: YES

DAVID TANDY: YES

CHERI HAMILTON: PRESENT

GEORGE UNSELD: YES

KEN FLEMING: YES

TOM OWEN: YES

TINA WARD-PUGH: YES

JIM KING: YES

KEVIN KRAMER: YES

PRESIDENT RICK BLACKWELL: YES

VICKI WELCH: YES

BOB HENDERSON: YES

MARIANNE BUTLER: YES

KELLY DOWNARD: YES

GLEN STUCKEL: YES

JULIE RAQUE ADAMS: YES

HAL HEINER: YES

STUART BENSON: YES

DAN JOHNSON: YES

ROBIN ENGEL: YES

JAMES PEDEN: NO

MADONNA FLOOD: YES

DOUG HAWKINS: NO

ELLEN CALL: YES

CLERK: There are 23 YES votes, one vote of PRESENT by Councilwoman Hamilton and two NO votes from Councilmen Peden and Hawkins.

PRESIDENT KING: **The ordinance as amended passes.**

NEW BUSINESS:

The next item of business is New Business consisting of Items 11-21.

Madam Clerk, the reading of those items and their assignments to committee. Please, everyone, be as quiet as you can as you leave the chambers. Go ahead, Madam Clerk.

New Business:

11. R-01-01-08 A RESOLUTION AUTHORIZING THE MAYOR TO ACCEPT A GRANT FROM THE COMMONWEALTH OF KENTUCKY THROUGH ITS GOVERNOR'S OFFICE OF LOCAL DEVELOPMENT, IN THE AMOUNT OF \$20,000.00 TO DEVELOP, PUBLISH AND DISTRIBUTE A PEDESTRIAN MASTER PLAN FOR THE LOUISVILLE METRO REGION.

Status: On Council Agenda - New Business
Committee: Transportation/Public Works
Primary Sponsor: Tom Owen

12. R-02-01-08 A RESOLUTION PURSUANT TO ORDINANCES 126 AND 127, SERIES 2007, APPROVING THE APPROPRIATION TO FUND THE FOLLOWING NONCOMPETITIVELY NEGOTIATED RENEWAL PROFESSIONAL SERVICE CONTRACT – (AL J. SCHNEIDER COMPANY, D/B/A EXECUTIVE WEST - \$15,000.00).

Status: On Council Agenda - New Business
Committee: Contracts/Appointments
Primary Sponsor: Robert Henderson

13. O-01-01-08 AN ORDINANCE APPROPRIATING \$7,000 FROM THE FOLLOWING NEIGHBORHOOD DEVELOPMENT FUNDS, \$1,000 FROM DISTRICTS 11, 16, 17, 18, AND 26 AND \$500 FROM DISTRICTS 5, 8, 9, AND 13 THROUGH THE FINANCE AND ADMINISTRATION DEPARTMENT TO PROJECT WOMEN, INC. TO PURCHASE A VAN TO TRANSPORT PROGRAM PARTICIPANTS TO VARIOUS EVENTS AND ACTIVITIES.

Status: On Council Agenda - New Business
Committee: Appropriations, NDFs and CIFs
Primary Sponsor:
Cheri Bryant Hamilton
Ellen Call
Glen Stuckel
Julie Raque Adams
Kelly Downard
Kevin Kramer
Tina Ward-Pugh
Tom Owen
Vicki Welch

14. R-04-01-08 A RESOLUTION AUTHORIZING THE MAYOR TO ACCEPT A GRANT FROM THE COMMONWEALTH OF KENTUCKY, TRANSPORTATION CABINET, IN THE AMOUNT OF APPROXIMATELY \$80,000.00, FOR THE PRESTON CORRIDOR RAILROAD OVERPASS BEAUTIFICATION PROJECT.

Status: On Council Agenda - New Business
Committee: Transportation/Public Works
Primary Sponsor: Jim King

15. O-02-01-08 AN ORDINANCE RATIFYING AND APPROVING A COLLECTIVE BARGAINING AGREEMENT (JULY 1, 2007 THROUGH JUNE 30, 2013) RELATING TO WAGES, BENEFITS AND OTHER TERMS AND CONDITIONS OF EMPLOYMENT BETWEEN LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT AND AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES AFL-CIO, LOCAL 3447-02 AND LOCAL 3447-03 CONCERNING THE MAINTENANCE AND RECREATION BARGAINING UNITS OF LOUISVILLE METRO PARKS DEPARTMENT.

Status: On Council Agenda - New Business
Committee: Labor & Economic Development
Primary Sponsor: David Tandy

16. R-05-01-08 A RESOLUTION AUTHORIZING THE MAYOR'S SIGNATURE ENTERING INTO AN AGREEMENT WITH THE COMMONWEALTH OF KENTUCKY TRANSPORTATION CABINET CONCERNING A PROJECT FOR HARRODS CREEK BRIDGE CONSTRUCTION.

Status: On Council Agenda - New Business
Committee: Transportation/Public Works
Primary Sponsor: Kelly Downard

17. R-06-01-08 A RESOLUTION AUTHORIZING THE MAYOR TO ACCEPT A \$5,000.00 GRANT FROM THE FOUNDATION FOR A HEALTHY KENTUCKY, INC. CONCERNING REMOVING BARRIERS FOR MOTHERS WHO BREASTFEED.

Status: On Council Agenda - New Business
Committee: Health & Human Services
Primary Sponsor: Judy Green

18. O-03-01-08 AN ORDINANCE APPROPRIATING \$10,000 FROM THE DISTRICT 11 NEIGHBORHOOD DEVELOPMENT FUND THROUGH THE DEPARTMENT OF FINANCE AND ADMINISTRATION TO FERN CREEK/HIGHVIEW UNITED MINISTRIES FOR A CAPITAL BUILDING PROJECT "BUILDING TO SERVE," WHICH BUILDING WILL BE USED TO SERVE PEOPLE IN NEED WHO SEEK FOOD, CLOTHING, AND/OR FINANCIAL ASSISTANCE.

Status: On Council Agenda - New Business
Committee: Appropriations, NDFs and CIFs
Primary Sponsor: Kevin Kramer

19. R-07-01-08 A RESOLUTION AMENDING THE BOARD OF ALDERMEN OF THE CITY OF LOUISVILLE RESOLUTION NO. 219, SERIES 1998, TO EXPAND THE BOUNDARIES OF THE FOURTH STREET ENTERTAINMENT DISTRICT ESTABLISHED THEREIN.

Status: On Council Agenda - New Business
Committee: Labor & Economic Development
Primary Sponsor: David Tandy

20. R-03-01-08 A RESOLUTION PURSUANT TO ORDINANCES 126 AND 127, SERIES 2007, APPROVING THE APPROPRIATION TO FUND THE FOLLOWING CONTRACT – (Doreen Barnhart DeHart- \$25,000.00).

Status: On Council Agenda - New Business
Committee: Contracts/Appointments
Primary Sponsor: David Tandy

Addendum:

21. O-04-01-08 AN ORDINANCE OF THE LOUISVILLE/JEFFERSON COUNTY METRO COUNCIL AUTHORIZING AND PROVIDING FOR THE ISSUANCE AND SALE OF LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT ADJUSTABLE RATE INDUSTRIAL BUILDING REVENUE BONDS, SERIES 2008 (ST. MARY ACADEMY PROJECT) AND TAKING OTHER RELATED ACTION.

Status: On Council Agenda - Addendum
Committee: Labor & Economic Development
Primary Sponsor: Kelly Downard

ADJOURNMENT

PRESIDENT KING: Thank you, Madam Clerk. Before we have a motion to adjourn the formal portion of the meeting, I would ask those Council Members who wish to make announcements to please remain in the chamber, and I believe you have done that. Do I hear a motion to adjourn the formal portion of the meeting?

COUNCILMAN OWEN: So moved.

PRESIDENT KING: Without objection, we are adjourned.

There being no further business, the **Special January 10, 2007** Louisville Metro Council meeting adjourned at 6:45 PM EST.

Kathleen J. Herron, Metro Council Clerk

Rick Blackwell, Outgoing Metro Council President

Jim King, Incoming Metro Council President

Announcements were made by CM Owen.
